



Appeal Decision

Site visit made on 18 February 2025

by P Brennan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th March 2025

Appeal Ref: APP/M3455/D/24/3354345

52 Nursery Avenue, Baddeley Green, Stoke on Trent, Staffordshire ST9 9NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Steven Vitta against the decision of Stoke-on-Trent City Council.
 - The application Ref is 71105.
 - The development proposed is a two-storey side extension, single storey side and rear extensions, and front canopy.
-

Decision

1. The appeal is allowed, and planning permission is granted for a two-storey side extension, single storey side and rear extensions, and front canopy at 52 Nursery Avenue, Stoke on Trent ST9 9NY in accordance with the terms of the application, Ref 71105, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's 240301-A01(A) and Location Plan.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.
 - 4) The extension hereby permitted shall not be occupied until the side windows facing 54 Nursery Avenue have been fitted with obscured glazing (Pilkington Level 3 or higher) and shall be top hung only. The obscure glazing shall be retained in perpetuity.

Preliminary Matters

2. The Council has amended the description of development from that seen on the application form to remove the proposed uses for each room. The description outlined in the banner heading above aligns with the Council's description but removes elements from the description within the application form which are not development or are superfluous.
3. The Council has questioned the accuracy of the existing plans in relation to the porch. During my site visit, I observed the porch to be on an angle to the front elevation of the garage, as depicted in the plans. As such, I have found the plans to be consistent with my observations.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

5. 52 Nursery Avenue (No52) is a two-storey detached dwelling on the corner of Nursery Avenue and Percival Drive. No52 sits below the level of the highway and its plot slopes down towards the properties in Percival Drive. Nursery Avenue and Percival Drive are characterised by a mix of one and two storey modest sized traditional and modern dwellings, with parking and gardens to the front. These have a regularised pattern forming a perimeter block with some variation in design and size of properties. No52 makes a neutral contribution to the character and appearance of the area.
6. The proposed development would involve single and two-storey extensions to the front, side, and rear of the dwelling. The two-storey element would replace the existing garage. At ground floor, the extension would align with the existing porch, whilst at first floor, a small set back would be incorporated to illustrate its subservience to the original dwelling. The set back proposed, both to the ridge line and the front elevation would ensure that the new element would appear subordinate to the rest of the dwelling. The proposed windows are of a similar style to the existing. The use of matching materials would also respect the design of the original dwelling and could be controlled by condition. Although the ground floor element would sit forward of the front elevation of the dwelling, this mirrors the existing front elevation of the existing garage, as well as the other garages on the avenue.
7. The proposed single storey element on the corner would sit forward of the Percival Drive building line. It would sit down into the site and be partially screened behind an established hedge, which forms the rear and side boundary. Whilst the roof would be visible from Percival Drive, the main built form would be largely screened, despite its location forward of the building line. Sufficient garden space and a set back from the highway would be retained. This would continue the established characteristics of gardens at the back of the footway with built form behind. As such, it would not materially disrupt the rhythm of the street on Percival Drive.
8. The single storey design would be akin to the existing dwelling, bar the introduction of a hipped roof. The area has varied roof designs and the mix of these would not appear out of keeping with the dwelling or the wider built form.
9. The proposed porch canopy would complement the existing dwelling, by removing the existing flat roof structure, and would be similar to others in Nursery Avenue. The rear conservatory proposed is a replacement to the existing and would not therefore add to the overall mass of the dwelling.
10. For these reasons, the proposed extensions would appear integral to the building as a whole and would respect the character and appearance of the existing building. The proposed development would be visible from a range of viewpoints along Nursery Avenue. However, given the size of the plot, the mass and scale of the extensions would not appear unduly dominant. Their form and detailing would generally complement rather than conflict with the design of other houses in the local area.

11. Consequently, the proposed extensions would not harm the character and appearance of the host dwelling and surrounding area. Accordingly, I find no conflict with Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026. This policy seeks high quality design that responds to, and integrates with, surrounding buildings, and reinforces local distinctiveness alongside ensuring that the scale, density, layout, and use of development is appropriate to the site.
12. I also find that the proposal would comply with the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document which highlights specific design considerations for house extensions. This includes, among other matters, that extensions should be subordinate to the host dwelling. The proposal would also comply with the National Planning Policy Framework (the Framework) which seeks development that achieves high quality design that contributes positively to local character with regard to its surroundings and context.

Conditions

13. A condition is required to ensure the development is carried out in accordance with the approved plans for reasons of certainty. A condition is also necessary regarding the use of matching materials to integrate the appearance of the proposed extensions with that of the original building. A condition to ensure the use of obscure glazing to the side facing windows on the boundary with No54 is necessary to maintain adequate privacy of existing living conditions.

Conclusion

14. For the reasons given above, I conclude that the proposal would comply with the development plan as a whole and there are no material considerations, including the Framework, which indicate that the development should be determined otherwise than in accordance with it. For the reasons given above, I conclude that the appeal should be allowed.

P Brennan

INSPECTOR